

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

OPERATING ENGINEERS LOCAL NO. 101	)	
PENSION FUND, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:10-cv-1133-SWH
	)	
GAINES CONSTRUCTION, INC.,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION OF DISMISSAL**

The parties in the above-captioned action hereby jointly stipulate to dismissal of this action with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Respectfully submitted,

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